

HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

SHANNON SPENCER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RXO, INC., a foreign profit corporation; RXO
LAST MILE, INC., a foreign profit
corporation; RXO CORPORATE
SOLUTIONS, LLC, a foreign limited liability
company; RXO FREIGHT FORWARDING,
INC., a foreign profit corporation; RXO
MANAGED TRANSPORT, LLC, a foreign
limited liability company; and DOES 1-20,

Defendants.

No. 2:23-CV-01760-BJR

**STIPULATED MOTION
FOR EXTENSION OF
TIME AND REQUEST
TO STAY AND ORDER**

STIPULATION

Plaintiff, Shannon Spencer (“Plaintiff”), and Defendants, RXO, Inc., RXO Last Mile, Inc.,
RXO Corporate Solutions, LLC, RXO Freight Forwarding, Inc., and RXO Managed Transport,
LLC (the “RXO Defendants”) (collectively, the “Parties”), by and through their respective

undersigned counsel, respectfully submit this Stipulated Motion for Extension of Time and Request to Stay.

The Parties have agreed to extend the pending briefing schedule and deadlines in order to explore alternative resolution and potential settlement. As such, the Parties jointly request that the Court extend the current briefing schedule deadlines by 60 days as follows:

1. To re-note the RXO Defendants' Motion to Dismiss from February 23, 2024, to April 23, 2024.
2. For the RXO Defendants' deadline to submit a Reply in Support of the Motion to Dismiss from February 23, 2024, to April 23, 2024.

As a result of extending the briefing schedule, the Parties would also like to request a stay of discovery deadlines at this time. The Parties agree to submit a Joint Status Report within 60 days of entry of an Order granting the requested stay apprising the Court of the status of any resolution.

WHEREFORE, the Parties respectfully request that the Court grant this Stipulated Motion for Extension of Time and Request to Stay.

Respectfully submitted this 16th day of February, 2024.

K&L GATES LLP

By: s/ Todd L. Nunn

Todd L. Nunn, WSBA # 23267

David J. Garraux (*admitted pro hac vice*)

Cecilia R. Ehresman (*admitted pro hac vice*)

925 Fourth Avenue, Suite 2900

Seattle, Washington 98104-1158

Tel: +1 206 623 7580

Fax: +1 206 623 7022

Email: todd.nunn@klgates.com

Attorney for Defendants

EMERY REDDY PLLC

By: s/ Patrick B. Reddy

Timothy W. Emery, WSBA #34078

Patrick B. Reddy, WSBA #34092

Paul Cipriani, WSBA #59991

600 Stewart Street, Suite 1100

Seattle, WA 98101

Phone: 206-442-9106

Email: emeryt@emeryreddy.com

reddyp@emeryreddy.com

paul@emeryreddy.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that on February 16, 2024, I caused the foregoing document to be served on the parties listed below in the manner indicated:

Timothy W. Emery, WSBA #34078 Patrick B. Reddy, WSBA #34092 Paul Cipriani, WSBA #59991 Emery Reddy PLLC 600 Stewart Street, Suite 1100 Seattle, WA 98101 Phone: 206-442-9106 Email: emeryt@emeryreddy.com reddyp@emeryreddy.com paul@emeryreddy.com	<input type="checkbox"/> Via U.S. 1 st Class Mail <input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via Overnight Delivery <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Email <input checked="" type="checkbox"/> E-Service
--	--

DATED February 19, 2024, at Charleston, South Carolina.

By: s/ Gwyn L. Martin
Gwyn L. Martin, Senior Practice Assistant


ORDER

Upon consideration of the Parties' Stipulated Motion for Extension of Time and Request to Stay, the Court finds that good cause exists to extend certain deadlines and stay all discovery deadlines, and it is hereby **ORDERED** that the Motion is **GRANTED**. The parties shall file a Joint Status Report within 60 days of entry of this Order.

It is **FURTHER ORDERED** that filing deadlines will be modified as follows.

Event	Current Date	New Date
Re-note the RXO Defendants' Motion to Dismiss	February 23, 2024	April 23, 2024
The RXO Defendants' Reply in Support of Defendants' Motion to Dismiss	February 23, 2024	April 23, 2024

DATED this 20th day of February 2024.



HONORABLE BARBARA J. ROTHSTEIN